

BY-LAW NUMBER 91-55

OF

THE MUNICIPALITY OF DYSART ET AL

BEING a By-Law to protect, regulate and control Head Lake Park and Recreation Area.

BE IT ENACTED AND IT IS HEREBY ENACTED as a By-Law of the Township of Dysart et al of the County of Haliburton by the Council thereof as follows:

1. (a) "Township" means the Township of Dysart et al;
 - (b) "Committee" means the Recreation Committee of the Council of the Township of Dysart et al;
 - (c) "Liquor" means liquor as defined by The Liquor Control Act;
 - (d) "Vehicle" means a motor vehicle, trailer, traction engine, and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or bicycle;
 - (e) "Head Lake Park" shall mean the land used by the Municipality as indicated by Schedule "A" of this By-Law for public park purposes including any and all buildings, structures, facilities, erections, improvements and equipment of any nature or kind located in or on such land, for so long as the land is used for public park purposes.
 - (f) "Parking Space" means a portion of the surface of a parking lot designated by suitable markings for the purpose of parking a vehicle, exclusive of driveways or aisles.
2. Head Lake Park is for the benefit and pleasure of the public and every person shall, as to the use of the said park, be subject to the By-Laws, rules and regulations of the Township.
 3. (a) Except as otherwise expressly provided by this By-Law.
 - (i) The Park shall be closed by 12:00 o'clock midnight to 6:00 o'clock in the forenoon during the period from April 1st to September 30th inclusive.
 - (ii) The Park shall be closed from 10:30 o'clock in the afternoon to 6:00 o'clock in the forenoon during the period from October 1st to March 31st inclusive.
 - (iii) Notwithstanding the foregoing, the parks may be opened at any time upon permission of the Recreation Committee.

- (iv) During any period when a park is closed, no vehicle including a motorized snow vehicle shall remain on the park property.
 - (v) During the time the park is closed, no person except a policeman or a Township of Dysart employee, while on duty, shall enter or remain on park property and, during such period, no person shall leave a vehicle owned or operated by him on park property.
 - (b) No person shall have, bring into, or keep for whatever purpose, any liquor of whatsoever nature and kind unless such person has received a licence so to do from the Ontario Liquor Licence Board, and approval of the Council of the Corporation of the Township of Dysart et al.
 - (c) No person shall stop or park any vehicle in any park except in a parking lot designated for that purpose and where designated, within a parking space, and in conjunction with the hours of operation specified in section 3(a). In addition, the maximum permitted period of docking shall be four (4) hours. All of the foregoing restrictions shall apply only where signs to that effect have been displayed.
 - (d) No person shall use any part of a park for the purpose of washing, cleaning, polishing, servicing, maintaining any motor vehicle or, except in the event of an emergency, repairing any motor vehicle.
 - (e) No person having care, ownership or control of any animal or pet shall permit such animal or pet to enter upon or be and remain in any park unless such animal or pet is a cat or dog restrained by a leash. No person having care, ownership or control of any animal or pet shall permit such animal or pet to enter upon or be and remain in any area that is posted restricting the entry of pets.
4. Schedule "A" attached hereto forms part of this by-law.
5. No person or persons shall, within the limits or boundaries of any of the parks in the Township:
- (a) Take part in or abet the playing of any games involving thrown or otherwise propelled objects such as balls, stones, arrows, javelins, or model airplanes except in areas set apart for such forms of recreation.
 - (b) Roller skating, except in roller skating areas.
 - (c) Beg, publicly solicit subscriptions for any purpose, solicit passengers for any boat or vehicle for hire or keep or offer anything for sale except under the authority of a licence granted under the provisions of this By-Law or any other By-Law of the Township.

- (d) Destroy, cut, mark, break, dig, pull up or burn or in any way damage or remove any tree, flower, flower bed, bush, shrub, plant or other vegetation or soil, sand, gravel or wood.
 - (e) Destroy, cut, deface or in any other way damage
 - (1) any wading pool, monument, fountain, bridge, fence, wall, gate, roadway pavement, parking area, sidewalk, walk or other facility, erection or improvement
 - (2) any building or other structure, or any appurtenance thereof, or
 - (3) any swing, slide, playground apparatus, table, seat, bench, sign, vase, or other fixture, equipment or personal property or ornament or utility, located in or upon any part of, or forming part of a Township Park.
 - (f) Obstruct in any way a roadway or path.
 - (g) Swim, bathe or wade in the waters of any fountain, or ornamental pond located in a Township Park, or in any way pollute or foul any stream, river, lake or pond, or the waters of a swimming or wading pool located in a Park.
 - (h) Distribute, or expose any kind of circular or advertisement. Post, stencil, or otherwise affix any notice, or bill, or other paper to any tree, bush, shrub, fence, building or structure.
5. Nothing in this By-Law prevents any Township employee or servant from performing his duties as an employee or servant.
6. No person shall, ride, park or drive any motor vehicle, or trailer except on the roadways, or parking areas therein designated for public vehicular use, and where signs to that effect are posted.
7. Nothing in this By-Law shall apply to vehicles under the supervision of the Parks Manager used for transporting materials in any of the parks under his supervision, excepting emergency vehicles and police supervision.
8. No person in a park shall bring in, deposit or leave any bottle, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, trash or other refuse into, on or upon the grounds of a park. No such refuse or trash shall be placed in any waters in or contiguous to any park. Refuse or trash from the use of a park shall be placed in the proper receptacles.
- Any person owning, harbouring or possessing a dog or cat shall be responsible for the sanitary removal and disposal of any excrement deposited on the grounds of any park by such animal.
9. No person or persons shall make exclusive use of any portion of any park under the control of the Township.

10. The Township at any time when it is deemed advisable to do so, close to the public any park or any portion of any park, or any building in any park, and may require the payment of a fee by any person desiring to enter any such park or building and no person shall enter any park or any portion of any park, or any building in any park, so closed, without first paying the fee for admission, to a person duly authorized by the Township for the collection of such fee.
11. The Township at any time when it is deemed advisable to do so, close to the public any park or any portion of any park, or any building in any park, and may require the payment of a fee by any person desiring to enter any such park or building and no person shall enter any park or any portion of any park, or any building in any park, so closed, without first paying the fee for admission, to a person duly authorized by the Township for the collection of such fee.
12. Notwithstanding anything contained in Sections 6 and 7 herein, no person shall operate any motorized snow vehicle in the park except those areas or parts thereof listed in Schedule "A".
13. No person shall operate any motorized snow vehicle in any of the public parks or parts thereof listed on Schedule "A" of this By-Law between the hours of 10:00 o'clock in the afternoon and 8:00 o'clock in the forenoon of the following day.
14. Schedule "A" attached hereto forms part of this By-Law.
- 15a) Any person who contravenes any of the provisions of Section 3(a), 3(c) or 3 (d) of this By-Law shall be guilty of an offence and shall be liable upon conviction thereof to a fine of ten (\$10.00) dollars, exclusive of costs, for each offence.
 - b) The owner or operator of any vehicle for which a Notice of Violation has been issued alleging a contravention of any of the provisions of the By-Law referred to in Subsection (a) of Section 15, may make payment of the fine set out in accordance with this By-Law on the Notice of Violation out of court by remitting such payment to the appropriate authority in accordance with the instructions on the Notice of Violation within the time limit prescribed thereon.
 - c) A Constable or an Officer appointed for the carrying out of the provisions of this By-Law, upon discovery of any vehicle parked or stopped in contravention of this By-Law, may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle, which may be enforced in the manner provided by Section 48 of The Mechanics Lien Act.
 - d) Any person convicted of a breach of any of the provisions of this By-Law excluding of Section 3(a), 3(c), 3(d), 12 or 13, shall be guilty of any offence and shall be liable upon conviction thereof to a fine not exceeding One Thousand Dollars (\$1,000.00), exclusive of costs, for each offence.

- e) Any person who contravenes any of the provisions of Section 12 or 13 of this By-Law shall be guilty of any offence and shall be liable upon conviction thereof to a fine of not more than Fifty Dollars (\$50.00), exclusive of costs, for the first offence, and not more than One Thousand Dollars (\$1,000.00), exclusive of costs, for each subsequent offence.
- f) The owner of any vehicle shall incur the penalties provided for any contravention of this By-Law unless at the time of the contravention the vehicle was in the possession of some person other than the owner without the owner's consent in which case the driver or operator of the vehicle, not being the owner, shall be liable to incur the penalties provided for any such contravention.

17. That By-Law Numbers 81-29 and 91-48 are hereby repealed.

By-Law read a first time this 12th day of August, 1991.

By-Law read a second time this 12th day of August, 1991.

By-Law read a third time and finally passed this 12th day of August, 1991.


REEVE


CLERK-ADMINISTRATOR